

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOMINION ENERGY BRAYTON
POINT, LLC,

Plaintiff,

v.

STEPHEN L. JOHNSON,
in his capacity as acting Administrator
of the U.S. Environmental Protection
Agency, U.S. ENVIRONMENTAL
PROTECTION AGENCY, and
REGION I of the U.S. Environmental
Protection Agency,

Defendants.

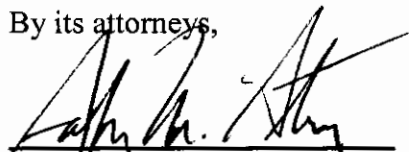
No. 04-12225 (RCL)

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NOTICE OF APPEAL

Notice is hereby given that Dominion Energy Brayton Point, LLC, plaintiff in the above-named case, hereby appeals to the United States Court of Appeals for the First Circuit from the order entered by the Court on June 13, 2005 and the judgment entered by the Court on June 14, 2005 dismissing the action for lack of subject matter jurisdiction.

By its attorneys,



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Dated: August 10, 2005